

Neighborhood Information Meeting - FoCo Café and Eco-Thrift
February 5, 2014
Community Room, 215 N. Mason St.

This neighborhood meeting is being held to discuss two potential leases of City-owned properties: 225 Maple St. (for the FoCo Café), and 300 N. Howes St. (for a relocated Eco-Thrift retail resale store). City staff will discuss the City's plans for its properties in the area and about the zoning and land use review process. Each applicant will present information about their plans for the leased sites. The remainder of the meeting will be an opportunity for questions and responses.

Comments in italics were added for clarification or correction following the meeting.

City Staff in Attendance:

Ken Mannon, Operation Services
Helen Mason, Operation Services
Kayla Ballard, Operation Services
Peter Barnes, Zoning
Seth Lorson, Planning
Jerry Schiager, Police Services
Beth Sowder, Neighborhood Services
Amanda Nagl, Neighborhood Services
Sarah Burnett, Neighborhood Services

Applicants in Attendance:

Tony Cooper, Eco-Thrift
Kathleen Baumgardner, FoCo Café
Jeff Baumgardner, FoCo Café

City Staff (Operation Services):

To provide some context for these potential leases, Ken Mannon provided the following information. The City has been acquiring properties in a 4-block area including these sites for a long time, probably starting in the 1980's. Work has been underway for four years to create a master plan to consolidate everything into a campus for the City. When staff first started to look at this, the plan was to develop Block 32, where we are now (*bounded by Mason, Howes, Laporte and Maple*). Council directed staff to plan for the next 50-100 years, so the master plan area was expanded (*to include Block 42, to include the 2-block area bounded by Howes, Meldrum, Laporte and Maple*). A draft master plan for future City development was taken to a City Council work session last November.

A Utilities/Customer Service building will be built first (*on the northeast corner of the intersection of Laporte and Howes*), with construction beginning in 2014 through fall of 2015. Currently, the only building that is funded is the Utility/Customer Service Building. Timing for a new City Hall or a parking structure (*on the southwest corner of the intersection of the intersection of Mason and Maple*) is not known at this time. As the master plan is built out, the buildings housing the FoCo Café and Eco-Thrift will be replaced with other buildings, and they will eventually need to relocate.

There will be another neighborhood meeting prior to construction of the Utilities/Customer Service building. This building will require deconstruction of three buildings. When we first talked to FoCo Café, we looked at one of those buildings on Laporte Avenue. As plans for the Customer Service Building

developed, we knew we couldn't lease that building that as it would be short term. So, we moved forward with the current proposal for a FoCo Café lease of the building at 225 Maple and went to Council as has been our policy. However, because of concerns raised by the neighbors, we are holding this neighborhood meeting to provide an opportunity for the neighbors to learn more about the proposal and to provide feedback. We also have changed our policy to include a neighborhood process for future leases for commercial or non-profit tenants. I apologize; it was not our intent to bypass a neighborhood process, we just have not had a neighborhood process with City leases prior to this.

Helen Matson explained that the lease process for commercial and non-profit tenants in effect up until January 2014 was:

- Advertise property for rent
- Screen applicants
- Negotiate Lease Terms
- Take Lease to Council for approval
- Sign Lease
- New Tenant completes development process for their projected use

Our new lease process for commercial and non-profit tenants as of February 2014 is:

- Advertise property for rent
- Screen applicants
- Negotiate Lease Terms
- Initiate public outreach through neighborhood meetings
- Prospective tenant completes development review process (for compliance with land use and zoning requirements) for their projected use
- After development review process is complete, take lease to Council for approval

City Staff/Zoning

Peter Barnes reviewed the zoning and land use review process. The Downtown Zone has three sub-districts; 300 North Howes and 225 Maple are both in the Civic Center subdistrict.

Both potential tenants will need to apply for a "change of use". Because both properties were developed as "use by right", the proposal to change uses is a minor amendment process. A minor amendment is a non-public hearing process done administratively by City staff. It usually takes 4-12 weeks. There is a requirement to upgrade the site to current standards – landscape, parking lot design standards, etc. The uses (retail store and restaurant) are listed as permitted uses in the Downtown zone, which means that these uses at these locations has been determined to be acceptable by the adoption of the code. Neither of these properties has currently submitted for a minor amendment, so the process has not started.

City Staff/Neighborhood Services

Sarah Burnett reviewed the next steps for these proposed leases. Typically, development projects only require one neighborhood meeting (*when a neighborhood process is required*). Two meetings for these leases are being held. We wanted to have opportunity for City staff and the applicants to listen and respond to any concerns tonight, and to share any changes that have occurred in their plans in the follow up meeting, which will be held at 281 N. College Ave. on February 19 at 6 p.m.

Contact information was provided for City staff:

- Ken Mannon, Operation Services Director – kmannon@fcgov.com or 221-6894
- Peter Barnes, Zoning Supervisor – pbarnes@fcgov.com or 970-416-2355
- Sarah Burnett, Neighborhood Development Review Liaison – sburnett@fcgov.com or 970-224-6076

Applicant Presentations

Eco-Thrift (Tony Cooper)

Tony Cooper has been running Eco-Thrift for 7 years now, but will not be able to stay in the current location.

He explained that Eco-Thrift started 2006 north of City Hall. Eco-Thrift has been a member of ClimateWise since 2006. Half of attendees raised hands that they have shopped or donated there. Eco-Thrift is a for-profit business; Tony Cooper is the owner. They work with lots of different entities: ACE Program of Poudre School District (where students can learn tools and processes for work environment); make in-kind donations to non-profits, and other community relationships.

Mr. Cooper showed the planned indoor retail area. The area with garage doors will be donation area. The plan for the back area is to continue to have a free mulch bin. The area currently used by City Parks will be used for storage of outdoor items. The locations for trash trailer location (with screening) and bicycle storage and parking were identified. Parking for business will be some of the current on-street parking. A citizen asked if the City was providing parking. Mr. Cooper said the parking hasn't been determined. Eco-Thrift is considering putting a selection of doors and windows in the additional garages in the back. Some screening and camouflage netting will be utilized for the side of building.

Mr. Cooper indicated that he is interested in getting feedback from this group about what they would be interested in seeing in regard to services to the community. He asked how many present were Penny Flats residents; roughly a third raised their hand.

FoCo Café (Kathleen and Jeff Baumgardner)

Kathleen Baumgardner explained that FoCo Café is being developed by a non-profit called Feeding Our Community Ourselves. She is the Executive Director of the non-profit. The organization's mission is to build community through great tasting meals. It will operate under a "pay what you can" model that makes healthy food accessible to people of all income levels, with a focus on local food and volunteer opportunities. She showed pictures and shared videos of non-profit cafés in Colorado Springs (Seeds Community Café), Denver (S.A.M.E. Café), and Red Bank, NJ (J.B.J. Soul Kitchen).

She noted that community cafés look like other cafés. Mixed residential and commercial areas are typical locations for these cafés. Individuals and groups often volunteer. Each individual pays for their meal through donation or through volunteer work. She encouraged all to check out the information provided in handout and to view two other videos.

FoCo Café plan is basic non-profit café similar to those in other cities. It will be open Monday-Saturday from 11 a.m. to 2 p.m. for lunch, and also at other times for private meetings and events. Their goal is to build community and make neighborhoods stronger.

Questions, Answers, Comments

Eco-Thrift

Q (Citizen): Frequently, Eco-Thrift is an “explosion”. The dog is out taking care of himself. Our living room window overlooks the entire block over here. Do you plan to do the same thing or to change with new location?

A: (Eco-Thrift Applicant) One of the new things we will have is a reception/receiving area. There will not be a yard sale out front; it should not be an explosion at all. The receiving area will be inside so it should not be visible. I will have to re-train the dog to remain near the offices at far (west) end of building from Penny Flats.

Q (Citizen): Thrift stores get unwanted donations at 2 am all the time. What can be done for debris left out overnight?

A (Eco-Thrift Applicant): Our experience is that happens once every 60 days. Goodwill has a huge sign that says unwanted donations will be prosecuted. We will have signage saying persons leaving unwanted donations will be prosecuted, and will have security cameras at new location. It is a misdemeanor (theft of services) and Eco-Thrift presses charges if it occurs.

Q (Citizen): I’m concerned about the parking. On both sides of Maple, spots are filled at 8 am. Are you going to City to ask for time limits (such as a 2-hour limit) on spaces? Is this a City question?

A (City/Planning): Seth Lorson responded that additional spaces on Maple may be converted with these new uses. He believes that it may be mostly City employees who park there currently and are there all day.

A (City/Neighborhood Services): Sarah spoke with Randy Hensley from Parking Services today; he indicated they will balance the needs for short and long term parking.

Comment (Citizen): Parking is a big concern. By making 2 hour spots, you are taking away residents’ parking.

Comment (Eco-Thrift Applicant): Five spaces along Howes outside the current Eco-Thrift will become available. Current City regulations prohibit off-street parking unless the area is paved. Eco-Thrift can’t pave currently—maybe cinder block parking would be allowed?

Comment (City/Operation Services): We plan to add a parking structure near Howes and Maple, but not immediately. In the longer term, there will be some on-street parking on Laporte and parking on Howes may be shifted to diagonal parking, making more spaces. When we talked to these potential tenants, we talked about assisting FoCo Café to obtain 3 short-term on-street parking spaces, and Eco-Thrift to have 4 short-term on-street spaces. *(Post-meeting correction: discussions with FoCo Café were also for 4 spaces, not 3 as stated in the meeting.)*

Q (Citizen): Does the city have a study going on about parking? City seems to just slough off parking. It seems like a problem far beyond what we are talking about here.

A: (City/Planning): There is a parking plan for downtown and we are currently doing a Transit-Oriented Development (TOD) Overlay Parking Study. We are going to be reaching out to the community about this in the next couple of months. The goal is to provide enough but not too much parking in the area.

A: (City/Operation Services) Penny Flats was previously City property and was developed as a public-private partnership. The City is looking at how things need to change but it was designed with parking underneath for these reasons.

Q (Citizen): Can you explain more about the concept of outside storage?

A (City/Zoning): Outdoor storage is considered an “accessory use” in this case and is allowed for retail stores. There must be screening for items. The request for the change in use will say what will be stored, and then the City will respond with what kind of screening is required. We don’t typically require screening from the top but we understand Penny Flats will be looking down and we will consider that in this case.

Q (Citizen): What will be outside north of the 300 N. Howes building?

A (Eco-Thrift Applicant): I envision that it will look similar to what it does now. We will have various trailers parked back there. The intention is to not have anything that looks like an eyesore. I do need to make a profit on the leased area, however, and will need to come up with a plan that allows for that. We would like to hear from residents what that should look like.

Q (Citizen): Will curb and gutter be added on Maple Street in front of the proposed Eco-Thrift site?

A (City/Zoning): This will be reviewed when the minor amendment is submitted to the City. Engineering might require it. Long range plans will weigh in.

Q (Citizen): Is this property (where Eco Thrift is going) for sale?

A (City/Operation Services): The property Eco-Thrift is interested in leasing, in Block 33, is under current option for Penny Flats to buy. They have already planned to move forward into north lot. It is not certain when Penny Flats will proceed with building on the 300 N. Howes St. site. They have a contractual option right for 7 years including the lot where Eco-Thrift is going—the west parcel. In regard to concerns about appearance, the plan is to include screening requirement from above, too, so it will look better than the current Eco-Thrift location. There will be a lease requirement not to have an eyesore, which is not in the current lease.

Q (Citizen): I am a business owner in Penny Flats and went in expecting that the City would build in this area. If I had to look out of my window at what Tony (*Eco-Thrift*) has currently done then I would be an extremely irate citizen. It is not okay to allow for the diminishing of this area.

A (City/Operation Services): We looked at this area and what Tony has currently done. We think that screening from up above will assist. We are trying to make it better in the interim and the in long run. We have talked to Tony about this and he wants you to tell him—what will be acceptable to you?

A (Eco-Thrift Applicant): I want to be a good neighbor. What is acceptable to you?

Comment (Citizen): I walk by your place and it is a bomb. You have no track record of being organized.

A (Eco-Thrift Applicant): I have been constrained by physical location; I don’t like it any more than you do. I want to be a good neighbor. I do have a track record. I managed another business that was not an eyesore (the Habitat store on Taft Hill Road). It is a focus of mine, but the situation precluded it.

A (City/Operation Services): We have talked to Tony about including a clause in the lease that if he doesn’t do a better job with the eyesore then there would be a default in the lease.

Comment (Citizen): I would love to see a local business succeed in this spot rather than more condos. It will bring value to the area by having a local business there.

Comment (Citizen): The idea of screens has a negative connotation. What would be beautiful? Could you do vines, hops, or greenery? It could be beautiful.

Q (Citizen): What is the length of these leases?

A (City/Operation Services): 5 years for the Café; 3 years for Eco-Thrift.

Q (Citizen): Are requirements for upgrades and improvements for applicant or City?

A (City/Operation Services): The City is responsible for improvements on building. We have to do certain things to make unit useable.

Q (Citizen): What about curb and gutter?

A (City/Operation Services): We are not sure at this time. Other improvements related to the businesses are the responsibility of the tenants.

Q (Citizen): If the double doors to the right are for drop-off, I am concerned because just to the East is the main Penny Flats entrance. I have safety and visual concerns for that, as well as traffic flow concerns.

A (City/Operation Services) Confirmed location of concern and noted that there is a fence in between the properties.

Q (Citizen): Can the lease govern hours of operation?

A (City/Operation Services): No. The Café is paying market rent for this space. The lease term and rent will be set for five years but the lease can be amended without City Council review. Universally, these cafes are 11-2, 6 days a week – they also do events.

FoCo Café Questions:

Q (Citizen): Is this a market rate lease? I read in the paper the lease is for \$16,000/year.

A (City/Operation Services): Yes, it is market rate. The lease includes 1,000 sq ft. for the restaurant and kitchen area at one rate; the basement and the unheated garage are each at different rates. Rates are based on warehouse market rates for the area.

Q (Citizen): Can you discuss customer flow and seating capacity?

A (FoCo Café Applicant): The restaurant will be 450 square feet and will accommodate 32 seats at most. There will be another 15-17 seats outside, weather permitting. We will have comfortable outdoor seating so that people waiting will be on property, not on the sidewalk. The front door will be on west side of building, and handicap ramp will be built across from front door. Architect further explained the flow of customers.

Q (Citizen): Business model - Do customers pay or work for their meal, or is it free food?

A (FoCo Café Applicant): – Introduced a couple who has operated a café in Denver (S.A.M.E. Café) for 7 years. FoCo Café will operate under the same model as the S.A.M.E. Café. The S.A.M.E. café founder stated that everyone who comes in either participates with time or money; no food is given away. People with shopping carts or who have drug, alcohol or mental health issues do not typically flock to us because we want to build community with them. It is not a soup kitchen.

Q (Citizen): I am concerned because the transient homeless population is only a block away.

A: (S.A.M.E. Café manager): We find people who come to our cafe (regular customers) help to police the place.

Q (Citizen): If you have to usher someone off of the property, where do people go?

A (S.A.M.E. Café manager): This is a rare occurrence; we have a problem like this about once a year.

Q (Citizen): What about initially?

A (S.A.M.E. Café manager): You let people know at the door what the café is and what it isn't. We tell people they have to work or pay and if they don't want to do that, they leave. There are other places they can go and be invisible. Word gets out quickly and problems are rare.

Q (Citizen): Do you encourage or require participation through volunteering if someone cannot pay?

A: (FoCo Café applicant): It is required. Of course people will pull one over you on occasion but in general, we will require.

Q (Citizen): Jefferson Park is not a good place to take your kid, so we go to Washington Park. If there are problems at Washington Park, what will happen?

A (City/Police Services): The difficult thing for the police department is that there is nothing illegal about hanging out or sleeping in the park. It may be unsightly but most of the folks there are not doing anything illegal. I can't predict the impacts on Washington Park.

Q (Citizen): How many people come because they are food insecure?

A (FoCo Café Applicant): People who come want healthy food. They want to go to Whole Foods but can't afford that. They can afford something. 65-70% of people are market value customers. Others are close and do some chores to off-set. 10% are completely working for their food. It changes the concept of hungry. People are eating ramen and heating things in the microwave. They would like to treat family to restaurant meal but make just above minimum wage. This helps to meet the gap for social sustainability for these people.

A (FoCo Café Applicant): The Bohemian Foundation sent out information today; statistics were discussed. The "self-sufficiency income level" for a family of four in Larimer County is \$58,200/year; the federal poverty level for a family of four is \$23,550; a full-time minimum wage job in Colorado will earn \$16,640 in 2014.

Q (Citizen): What kind of marketing have you done?

A (FoCo Café Applicant): We have done Ted Talks and many other community outreach meetings at churches, schools, etc. for 2 years since we incorporated. We've been successful at getting the word out, and have been working with area nonprofits. Matthews House is here because they are excited to have kids re-engage with community.

Comment (Matthews House Executive Director): The word gets around quickly that Matthews House is not about enablement – it's about empowerment. We have had homeless come, but businesses would attest to the fact that we don't have people just hanging out at Matthews House. They are invited to come and engage with employees but we are not a flop house. The word is out that is not allowed; it took a couple months for that to happen. The youth we are working with that want to go into culinary arts will have great connections. People were concerned about traffic and kids when Matthews House moved to its location on Martinez Park—the neighbors thought it would be a detriment and it wasn't. The two folks here tonight from the S.A.M.E. Café in Denver were recently awarded for philanthropy work. The Rio owner has already come forward and said there will be a Rio night at FoCo Café. The café has support from the restaurant community.

Comment (FoCo Café Applicant): We are just serving salad and soup we do not expect a need for 2-hour parking. Hoping it will primarily be a pedestrian experience involving a 5-minute walk.

Q (Citizen): We have a teenage son who can't even take the trash out because of homeless people have yelled at him for waking them. How is Fort Collins prepared for an influx of homeless people at Washington Park?

A (City/Police Services): If someone is trespassing on private property, then a posted sign that says "no trespassing" can allow for enforcement. Perhaps the Penny Flats HOA has the authority to post a sign. There is a difference between perception of safety and quality of life issues. The majority of police calls are low level activities such as open container or loitering; we don't often see homeless activity impacting citizens. We are a generous community, and that attracts a transient population. It is a community discussion. Police get stuck in the middle of it—some believe police are picking on homeless people, while others say they won't take their family downtown anymore because they don't feel comfortable. It is a balance, but we can't run people out of town.

Comment (City/Social Sustainability): Staff at Police Services studied police call numbers at the Murphy Center and number of calls in the area actually decreased by 3% during the first 3 years of operation.

Comment (Citizen): I operate business on North College—the Starbucks in the Northern Hotel. Our employees are eager to participate in the Cafe. We have had safety concerns at the Northern Hotel where we see all - transient population and prosperous community members. Traffic and people is what provides safety. A focus on community members and providing more traffic up north is good for business.

Q (Citizen): The City has right to default for ongoing violations with Eco-Thrift. Does the City have same option with the café?

A (Operation Services): It would be hard to hold them responsible for community impacts. They will have terms to hold up, property and rent, but it would be difficult or impossible to have lease terms for off-site problems.

Q (Citizen): Is lease available to public?

A (Operation Services) The lease goes to Council for another reading. It would also be available through Open Records.

Comment (FoCo Café Applicant): We have to create an environment that the general public wants to come to. If we don't, then you won't have to worry about the lease, because if you don't want to go there, then we won't be able to pay our rent. We need to serve a superior product and provide an excellent experience to stay in business.

Q (Citizen): Is it not possible to use Tony's space out back as a garden?

A (City/Operation Services) Tony is not a farmer by trade. Not sure if zoning allows for garden. We would have to work through these questions. Tony is still evaluating what will work for him.

Comment (FoCo Applicant): FoCo does hope to promote and encourage urban agriculture.

Comment (Citizen): There was an issue with graffiti until we hired people to paint transformers...maybe there is a more creative way to keep the park for all.

Comment (Eco-Thrift Applicant) Eco-Thrift has adopted Washington Park as their "adopt a park". Washington Park is not a desirable location for that population because of the number of City offices close by. They would not feel comfortable there, close to the Justice Center.

Q (Citizen): Why not make the restaurant a 3-year lease like the Eco-Thrift lease?

A (City/Operation Services): For the restaurant to establish itself, it needs 5 years. If it doesn't work, they will have to leave because they won't be able to pay rent.

Comment (Penny Flats HOA representative): The social flow and fabric of neighbors is going to change. A survey was created for owners at Penny Flats, and has been shared with City staff tonight. We appreciate the candid conversation tonight that has answered some of the concerns and questions.

A (City/Neighborhood Services): There are a couple of additional questions that City can provide answers; we can look and try to supply those responses in the notes from this meeting.

Q (Citizen): What is the timeframe? When do these establishments go into effect?

A (City): As noted earlier, it typically takes 4-12 weeks from the date of application for review process. The lease for café is planned to be reviewed by City Council on March 18. We don't know timeframe for Eco-Thrift lease; Eco-Thrift will need to go through the Minor Amendment process first.

A (FoCo Café Applicant): It is a slow process. Next reading March 18, so we could get keys in April; opening in July would be pretty amazing if everything fell into place perfectly. Community building goes fast—opening of café goes slow.

Q (Citizen): Everyone's intentions seemed good when the Bellvue Bean failed. I am excited about the project and I don't believe my park will be harmed but what if? From a lease perspective, how does that get dealt with?

A (City/Operation Services): Placing hours in the lease is an option, but events at other hours will be allowed for private groups. *(A similar question was covered above regarding Eco-Thrift, and the same would apply for café: It would be hard to hold a tenant responsible for community impacts. They will have terms to hold up, property and rent, but it would be difficult or impossible to have lease terms for off-site problems.)*

Comment (FoCo Café Applicant) We need to be careful; we are basing our model on other successful cafés but we don't have our own successes yet, and we will need flexibility if we need to adjust hours as time goes on.

Comment (Citizen): It would be a tragedy if single moms that wanted to go with kids couldn't get there. We want to set them up for success. They are building community right here right now. I wouldn't be here otherwise. We need to allow flexibility to be successful.